

### **REMARKS**

By this amendment, claims 1, 3, 5, 7, 9, 13, and 15 have been amended solely for the purposes of clarification and not for the purposes of avoiding prior art or narrowing the claimed invention. Accordingly, claims 1-16 are currently pending in the application, of which claims 1 and 9 are independent claims. Applicants appreciate the indication that claims 2, 4, 6, 8, 12, 14, and 16 contain allowable subject matter.

Applicants respectfully submit that the above amendments do not add new matter to the application and are fully supported by the specification.

In view of the above amendments and the following Remarks, Applicants respectfully request reconsideration and timely withdrawal of the pending objections and rejections for the reasons discussed below.

#### ***Amendments to the Drawings***

Please replace Figure 3B with the attached Replacement Figure 3B. Figure 3B has been amended by changing reference character "Lroff" to "Lgoff" per at least paragraph [0038].

#### ***Rejections Under 35 U.S.C. § 112, second paragraph***

Claims 1-16 stand rejected under 35 U.S.C. § 112, second paragraph as being indefinite.

While Applicants disagree that "different from one another" renders the claims indefinite, claims 1, 3, 5, 7, 9, 13, and 15 have been amended to delete this phrase in the interest of expediting prosecution. Applicants submit that "geometric structures" is a term that would be understood by one of ordinary skill in the art and also, that the term is adequately defined by

paragraphs [0045]-[0048]. Therefore, the recitation of "different geometric structures" does not render the claims indefinite.

Accordingly, Applicants respectfully request withdrawal of the 35 U.S.C. § 112, second paragraph rejection of claims 1-16.

### ***Rejections Under 35 U.S.C. § 103***

Claims 1, 3, 5, and 7 stand rejected under 35 U.S.C. § 103(a) as being allegedly unpatentable over U.S. Patent No. 6,366,025 issued to Yamada ("Yamada") in view of U.S. Patent No. 6,670,230 issued to Hsieh ("Hsieh"). Applicants respectfully traverse this rejection for at least the following reasons.

To establish an obviousness rejection under 35 U.S.C. § 103(a), four factual inquiries must be examined. The four factual inquiries include (a) determining the scope and contents of the prior art; (b) ascertaining the differences between the prior art and the claims in issue; (c) resolving the level of ordinary skill in the pertinent art; and (d) evaluating evidence of secondary consideration. *Graham v. John Deere*, 383 U.S. 1, 17-18 (1966). In view of these four factors, the analysis supporting a rejection under 35 U.S.C. 103(a) should be made explicit, and should "identify a reason that would have prompted a person of ordinary skill in the relevant field to combine the [prior art] elements" in the manner claimed. *KSR Int'l. Co. v. Teleflex, Inc.*, 550 U.S. \_\_\_, slip op. at 14-15 (2007). Furthermore, even if the prior art may be combined in the manner claimed, there must be a reasonable expectation of success, and the reference or references, when combined, must disclose or suggest all of the claim limitations. See *in re Vaeck*, 947 F.2d 488, 20 USPQ2d 1438 (Fed. Cir. 1991).

The Examiner has failed to establish a *prima facie* case of obviousness at least because Yamada fails to teach or suggest every feature of claim 1. Specifically, claim 1, which has been amended solely for clarification, recites, *inter alia*:

wherein transistors of at least two unit pixels of the R, G, and B unit pixels each include an offset region between the multi gates, and wherein the offset regions of the at least two unit pixels have different geometric structures

Yamada in view of Hsieh fails to teach or suggest at least these features. The Examiner concedes that Yamada fails to teach this feature (Office Action, page 3) and relies on Hsieh to cure the deficiency of Yamada. However, while Hsieh discloses a CMOS with a dual gate and offset structure (column 2, lines 40-41), Hsieh does not teach offset regions of at least two unit pixels having different geometric structures, and the Examiner has failed to provide any reason that would have prompted one of ordinary skill in the art to have offset regions with different geometric structures in different unit pixels.

Accordingly, Applicants respectfully request withdrawal of the 35 U.S.C. § 103(a) rejection of claim 1. Claims 3-8 depend from claim 1 and are allowable at least for this reason. Since none of the other prior art of record discloses or suggests all the features of the claimed invention, Applicants respectfully submit that independent claim 1, and all the claims that depend therefrom, are allowable.

Claims 9-11, 13, and 15 stand rejected under 35 U.S.C. § 103(a) as being allegedly unpatentable over Yamada in view of Hsieh and further in view of U.S. Patent No. 6,404,030 issued to Ma, *et al.* ("Ma"). Applicants respectfully traverse this rejection for at least the following reasons.

The Examiner has failed to establish a *prima facie* case of obviousness at least because Yamada in view of Hsieh and Ma fails to teach or suggest every feature of claim 9. Claim 9, which has been amended solely for clarification, recites, *inter alia*:

wherein transistors of at least two unit pixels of the R, G, and B unit pixels each include an offset region between the multi gates, and wherein the offset regions of the at least two unit pixels have different resistance values

Yamada in view of Hsieh and Ma fails to teach or suggest at least these features. The Examiner concedes that Yamada in view Hsieh fails to teach this feature (Office Action, page 6) and relies on Ma to cure the deficiency of Yamada in view Hsieh. However, Ma merely discloses the use of additional gate contacts (i.e. gate fingers) to reduce gate resistance and improved high frequency performance (column 2, lines 10-12). Ma fails to disclose offset regions of at least two unit pixels having different resistance values, and the Examiner has failed to provide any reason that would have prompted one of ordinary skill in the art to have offset regions with different resistant values in different unit pixels.

Accordingly, Applicants respectfully request withdrawal of the 35 U.S.C. § 103(a) rejection of claim 9. Claims 10-12 depend from claim 9 and are allowable at least for this reason. Since none of the other prior art of record, whether taken alone or in any combination, discloses or suggests all the features of the claimed invention, Applicants respectfully submit that independent claim 9, and all the claims that depend therefrom, are allowable.

***Allowable Subject Matter***

Applicants appreciate the indication that claims 2, 4, 6, 8, 12, 14 and 16 contain allowable subject matter. Claims 2, 4, 6, 8, 12, 14, and 16 have not been amended because Applicants respectfully submit that claims 2, 4, 6, 8, 12, 14, and 16 depend from allowable base claims and are allowable at least for this reason.

Accordingly, Applicants submit that claims 2, 4, 6, 8, 8, 12, 14, and 16 are in condition for allowance.

**CONCLUSION**

Applicants believe that a full and complete response has been made to the pending Office Action and respectfully submit that all of the stated grounds for rejection have been overcome or rendered moot. Accordingly, Applicants respectfully submit that all pending claims are allowable and that the application is in condition for allowance.

Should the Examiner feel that there are any issues outstanding after consideration of this response, the Examiner is invited to contact Applicants' undersigned representative at the number below to expedite prosecution.

Prompt and favorable consideration of this Reply is respectfully requested.

Respectfully submitted,

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